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29 Attorneys for Defendants  
30 SAP AG, SAP AMERICA, INC., and  
31 TOMORROWNOW, INC.

32 UNITED STATES DISTRICT COURT  
33 NORTHERN DISTRICT OF CALIFORNIA

34 OAKLAND DIVISION

35 ORACLE USA, INC., et al.,

36 Case No. 07-CV-1658 PJH (EDL)

37 Plaintiffs,

38 **DECLARATION OF MIA LEE IN SUPPORT  
39 OF DEFENDANTS' OPPOSITION TO  
40 ORACLE'S MOTION TO MODIFY THE  
41 PROTECTIVE ORDER AND TO COMPEL  
42 DEPOSITION TESTIMONY AND FURTHER  
43 RESPONSES TO REQUESTS FOR  
44 ADMISSION**

45 v.  
46 SAP AG, et al.,

47 Defendants.

48 Date: January 26, 2010; Time: 9:00 am  
49 Courtroom: E, 15th Floor  
50 Judge: Hon. Elizabeth D. Laporte

51 LEE DECL. ISO DEFNS' OPPOSITION  
52 TO PLAINTIFFS' MOTION TO COMPEL  
53 Case No. 07-CV-1658 PJH (EDL)

1 I, MIA LEE, declare:

2 I am a Senior Contracts Specialist for SAP America Inc. ("SAP America"), one of the  
3 Defendants in this case. I make this declaration based on personal knowledge and, if called upon  
4 to do so, could testify competently thereto.

5 1. Since May 1, 2006, I have held the position of Senior Contracts Specialist for SAP  
6 America. My responsibilities included documenting business transactions, providing documents  
7 to prospective customers, and negotiating contracts with potential customers. In some contract  
8 negotiations, I consulted SAP America's in-house attorneys for legal advice as needed.

9 2. I have reviewed an unredacted version of Exhibit 1683, SAP-OR00677719-26.  
10 This document reflects a series of emails, some of which I either sent or received. The emails  
11 refer to a contract negotiation with E & J Gallo Winery. The email dated May 11, 2006, sent at  
12 13:56 (1:56 pm), reflects my request for legal advice from Scott Trainor, who I understood to be  
13 an SAP America in-house attorney, concerning TomorrowNow's provision of support services. I  
14 intended the communication to be confidential and privileged.  
15

16 I declare under penalty of perjury under the laws of the United States and the State of  
17 California that the foregoing is true and correct. Executed this \_\_\_\_\_ day of January 2010 in  
18 Irvine, California.  
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Mia Lee